

City of Issaquah

Reasonable Use Variance

Re: Development of Parcel #3424069035 (Address 1016 2nd Ave. SE) in Issaquah

Parcel #3424069035 is zoned SF-S (Single Family Suburban), but is encumbered by wetlands and wetlands setbacks such that there is no buildable land based on current code - therefore a reasonable use variance is required. Such a variance for this property was granted in 2013 (Nyberg) but the property owner at the time passed away and the project was halted. The Wolfe's acquired the property from the estate in 2016.

In accordance with 18.10.430 Section E (Reasonable Use Variance Criteria Established), the proposed development of the land meets the established criteria:

1. *There is no reasonable use of the property left; and*

The property is fully encumbered by wetlands, wetland setbacks, and critical area setbacks as shown by the survey with wetlands delineation; therefore under standard code, no single family residential building could be developed

2. *That the granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and*

The development of the property will be materially **beneficial** to the public welfare and mark a vast improvement to the property and vicinity where the property is situated. This is mainly due to the massive proposed wetlands improvement.

The property is .97 acres, or 42,111 square feet. The proposal is to enhance 4483 square feet of wetlands, 21,885 square feet of wetland buffer, and to replace & enhance 568 square feet of additional buffer. Only 7593 square feet of the property will be impacted by the development, with less than 5000 square feet of this impact as impervious surface. When combined with the existing portions of the property which are already native (7582 square feet), the end result will leave 82% of the property or 8/10 of an acre as native and protected area.

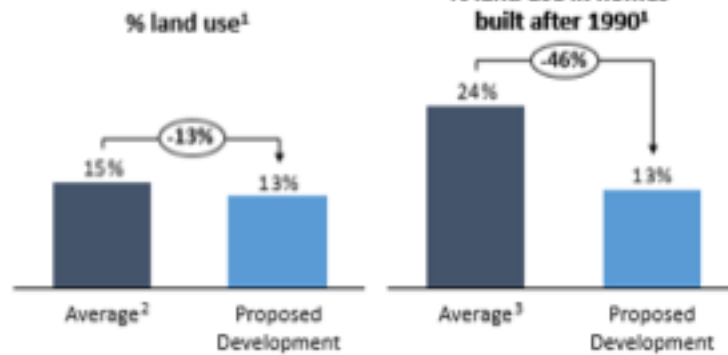
Currently there are almost 27,000 square feet, or .6 acres of wetlands or wetland setback areas which are lacking in native wetlands vegetation and are overrun with invasive species. All these areas are to be enhanced by removal of invasive species and new plantings and seeding. The improvements are aligned with the public interest in retaining and restoring native wetlands in our communities.

- a) There are Himalayan blackberry bushes which are an invasive species that are a significant risk to continue to spread, not only on the subject property, but to neighboring property and the public spaces to the north. The proposed plan completely eliminates this and other invasive species.
- b) The proposed wetlands mitigation plans calls for planting of over 2435 native species comprised of 1,119 trees and shrubs, and 1,316 ground cover plants as designed by the certified biologist. Seeding of native grasses is also proposed. The house, driveway, and yard will be separated from the enhanced areas with a cedar fence. A bond will be posted by the property owners to assure the plantings survive and thrive.

- c) The proposed development is not out of character for the neighborhood, there are many properties developed in the past which have disturbed what are now wetland setback areas, and the proposed development will far exceed any previous wetland or buffer improvements on other properties in the immediate neighborhood.
 - d) Homes recently built adjacent (South) to the subject property are of similar scale.
 - e) Currently, vegetation on the site does not provide as for as much water absorption as will be provided for by the new plantings; and impervious surfaces will be infiltrated and disbursed by an approved storm drainage system. Therefore, neighboring properties should be positively impacted by less run off from the proposed development.
 - f) The home design will include flood vents, such that in the event of a flood, no additional water will be displaced than would occur should the property remain vacant.
 - g) The home will not be visible from any major streets or arterials.
 - h) The proposed buffer impact area (impervious surface and yard) is located solely on a portion of the property which was already cleared and graded years ago by a previous owner, and does not displace any existing native growth.
 - i) Currently the property has obviously been horribly disturbed from what it once was. Without some development, the property will remain as scared land dominated by invasive species.
3. ***The variance granted is the minimum amount that will comply with the criteria listed above and the minimum necessary to accommodate the permitted uses proposed by the application, and the scale of the use shall be reduced as necessary to meet this requirement.***

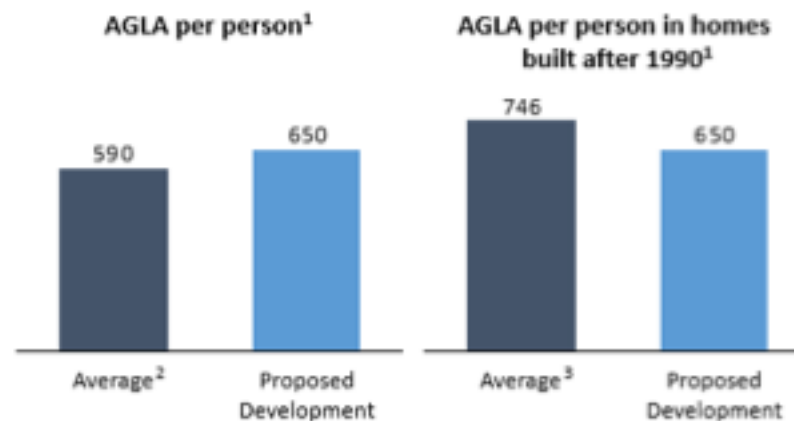
The development for the property was designed with the intent to minimize the impact to the surrounding areas, while still providing reasonable use of the land in the SF-S zoning. The design is reasonable given (a) the overall size of the property, (b) the proposed use of the property, and (c) the challenges of developing the property.

- a) The property proposed to be developed is 42,111 square feet. Based on available records per King County and other sources, we are able to compare the % of land use of nearby properties with the proposed developments.
 - i. Available data provides data on size of buildings and their relative impact. Combining AGLA (above grade living area), attached garage, deck/porch, and finished basement totals and comparing the surrounding buildings shows the reasonableness of the proposed developments. The average of all homes is heavily weighted by homes built before 1970 which are much smaller and not as representative of the style and size of homes developed after 1990. When compared to all other homes developed after 1990, the proposed development uses significantly less of the land available.



1. Sum of AGLA, deck/porch, attached garage and finished basement divided by total land
2. 25 houses immediately surrounding the proposed development property
3. 8 of 25 houses immediately surrounding the proposed development property

- ii. In addition, the proposed development footprint is similar to a previously approved development footprint (Nyberg - 2013 approval).
- b) The City of Issaquah allows for up to a 1000 square foot ADU (Accessory Dwelling Unit) to be built on any property in the Single Family Suburban zoning, and it is the square footage of the proposed ADU (966 square feet) which pushes to total size of the home to 4039 square feet. Without the ADU, this house would be 3073 square feet, well within the median range for newer homes in this zoning. It is not unreasonable to ask that this development include an ADU. The use of the property as a single family home with attached ADU is an efficient use of building space. The development will house a multi-generational family (grandparents, parents, and 2 children). The living area per person is below the average of houses built after 1990 and not materially higher than the total average of the area.



1. AGLA divided by 4 if AGLA > 2000ft², divided by 2.54 if < 2000ft²
2. 25 houses immediately surrounding the proposed development property
3. 8 of 25 houses immediately surrounding the proposed development property

- c) Because the proposed property is encumbered with wetlands and wetlands setbacks, the cost and challenge to development the property is significant. A larger building is

necessary to spread the one-time, unavoidable development costs out over a larger footprint. The estimated costs of development before building costs are:

- i. Permits and variances: \$40,000 - \$50,000
- ii. Impact fees: \$20,000 - \$30,000

ii. Impact fees: \$20,000 - \$50,000

iii. Wetlands mitigation: \$70,000-\$80,000

The total costs of between \$130,000 and \$160,000 make it difficult and likely untenable to build a smaller house on the property because the total cost per sq. ft would be materially higher than comparable homes in the area.

4. *The need for the variance is not the result of actions of the applicant or property owner.*

- A) The land was cleared and graded in years prior (at the time, the clearing and grading work did not violate any City or County regulations).
- B) The City of Issaquah approved a short plat which included this property as a buildable lot in 2005.
- C) The current owners have done no harm to or work on the property since its purchase and are following all prescribed rules and regulations in seeking their permits.

Thank you for your consideration,

Taylor & Erika Wolfe and family

